IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5803 OF 2006

Baburao Balaku Pawar & Ors. ..Petitioners

Vs.

Ratan Chandar Pawar & Anr. ..Respondents

Mr.K.B.Sonwalkar for the petitioners

Mr.Prashant Patil i/b M/s.J.Shekhar & Co. for the respondent no.1

CORAM : A.P.DESHPANDE, J

DATED : 15TH DECEMBER, 2006

P.C.:

1. The present respondent no.1 is the original plaintiff no.1 who instituted a suit for declaration and perpetual injunction way back in the year 1999. In the said suit, an application for temporary injunction was also filed and the trial court had granted ad interim temporary injunction. The application for temporary injunction came to be rejected on 6.7.02 and aggrieved by the same, the original plaintiff no.1

/ respondent no.1 filed a Misc. Civil Appeal. The Appeal came to be allowed on 22.6.06. After the appeal came to be allowed, the present petitioners moved an application for stay of the order by contending that the petitioners propose to file a writ petition and challenge the order passed by the first appellate court. The first appellate court directed the parties to maintain status quo and the said order of status quo is continued till date.

2. Both the learned counsel for the respective parties make a joint request for disposal of this petition by continuing the order of status quo till the decision of the suit. A further prayer is made for directing the trial court to decide the suit as expeditiously as possible.

3. In this view of the matter, parties are directed to maintain the status quo pending the decision of the Civil Suit. The trial court is directed to decide the Civil Suit as expeditiously as possible and at any rate within 6 months from today. Writ petition is disposed of.

(SHRI A.P.DESHPANDE, J)